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SUBJECT: ATTORNEY GENERAL SEEKS GREATER SUPPORT TO BUILD PROFESSIONALISM

REF: MAPUTO 83

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¶1. (U) Attorney General Joaquim Madeira gathered donor country ambassadors on March 26 and appealed for greater support to help create more professional and effective prosecutors. He reiterated the need for his staff, also referred to as the "Ministerio Publico" (MP) or Procuradoria Geral (PGR), to have more staff resources, and emphasized the need for better training. Following on his annual report to parliament March 10, he stressed the obstacles he faces in successfully prosecuting corruption. He opening the meeting by making comparisons between his situation and international counterparts in Panama, South Africa, Guatemala, and elsewhere, whose investigations lead them to high-level political figures. While acknowledging US support (USAID DA funding as well as INL funding), Madeira appealed to the donor community to fund further professionalization and an increase of his staff resources.

¶2. (U) In the meeting at the Attorney General's office, Madeira and his Assistant Attorneys General were present, as well as representatives of ten donor countries, including five heads of mission. The AG opened by describing the situation when he took office three and half years ago. On that occasion, he asked the Danish mission why they had chosen the court system for a large-scale assistance program, but not considered the AG's office. They replied that the donor community would not waste their resources on an office noted for apathy, negligence, corruption, and crime. Pointing to the progress made during his tenure, and the formation of the Anti-Corruption Unit (UAC), he launched an appeal for reconsideration as a worthy recipient of assistance, alluding to the worldwide emphasis on combating corruption. He described this year as a year of consolidation for his office and laid out their training needs.

¶3. (U) In the context of thanking the donor community (primarily Denmark, but also the US) for their support to the Judicial Training Center, he expressed a desire to see Mozambican judges continue to receive scholarships for completion of law degrees. He noted that almost all provincial level judges now have degrees, but that district level judges should also all have such qualifications. Citing ten candidates from his prosecutors, Madeira appealed to donors to fund scholarships for law studies in Maputo, Beira, Nampula, and Quelimane, including funding to defray financial hardship to the beneficiaries, as well as to increased staffing levels required for releasing employees for necessary training. Describing the problems resulting from the MP's lack of a "training float," he mentioned INL-funded participation at ILEA Botswana, which he highly values, and the negative effects caused by the absence of seven of his staff for six weeks.

¶4. (U) Madeira also referred to the need to improve financial management within the PGR to facilitate management of donor funds. This has been a constraint to efficient USG support. The Norwegians funded a financial management assessment, which USAID is using as the basis to provide financial management training, with the goal of making the PGR capable of directly managing USG funds within six months to facilitate direct implementation of USG support to the Anti-Corruption Unit. Achieving this goal will also trigger funding from European donor countries.

¶5. (U) The Anti-Corruption Law passed in November 2003 has still not fully been promulgated and implementing regulations have not yet been drafted. This lack of full approval by the GRM is another constraint to the UAC, as the law formally creates the Unit as an independent department within the PGR, entitled to its own line item in the budget and an allotment of prosecutors. Until now, the Unit has functioned with staff on loan from provincial offices and other departments and lacks its own dedicated resources.

¶6. (SBU) After making his appeal for donors to reconsider supporting his office, Madeira took questions. In a reply to the Spanish Ambassador, he agreed that combating corruption is an effort that should be collective and not just the domain of one government agency. He used that opportunity to

criticize the Criminal Investigation Police (PIC) as an unreliable partner in the fight and to display some impatience with the pace of legal reform. Responding to the Dutch Ambassador he directed donors to the English version of the UAC's annual report (reftel) for details on the personnel issues he raised. The Italian Ambassador inquired if the PGR utilized specialized consultants from other government agencies or outside the government, prompting the AG to describe significant problems created by use of expert South African specialists' English-language evidence in previous trials. Madeira mentioned interest and offers of specialized assistance from Brazil, Italy, Portugal, and Spain for the investigation of the Siba-Siba Macuacua murder case and reiterated that his goal is to raise the PGR to same standard of professionalism as in those countries. In a meeting with the World Bank on March 29, he stated that he is very interested in this type of support. The Swedish commented that the appeal for support was timely, due to the ongoing joint review session of donors who provide direct budget support to the GRM.

¶6. (SBU) Comment: Madeira's appeal to the donors comes just two weeks after his annual report to the National Assembly, during which he emphasized the weaknesses still prevalent in his office and reiterated his severe criticism of the PIC, citing cases of intentional sabotage of investigations, and individuals from the PIC arrogantly extorting bribes from those under investigation. Since the PIC is already widely considered to be corrupt, headlines focused on his admission of insufficient professionalism within the PGR. In describing this as a year of consolidation, the AG also implied that the political leadership is not going to back any dramatic investigations, revelations, or trials, that could damage FRELIMO's prospects in this election year, such as the long-awaited Siba-Siba case. The USG is the only donor providing assistance to the Attorney General, with our support of the Anti-Corruption Unit. As the GRM moves forward on public sector reform, and post coordinates with the British in our approach to the GRM as a pilot country for the G-8 Evian Transparency Initiative, it can be hoped that other donors respond positively to Madeira's request for more support. While dramatic results may not prove forthcoming in the short term, post sees the investment in the UAC as an important element to achieve our MPP goal of reducing corruption in Mozambique.

Hankins